

Chg. Clerk
Copies for
Henderson

February 18, 1953.

NEW HAMPSHIRE LAW LIBRARY

SEP 22 1998

CONCORD, N.H.

William H. Hesseck, Jr., State Forester,
State House Annex,
Concord, N. H.

Dear Sir:

I have examined into the Regulations on Attendance and Leave adopted by the Governor and Council August 27, 1941 as amended January 27, 1943. These regulations in force until adoption of the classification plan July 1, 1950 under the personnel act provided as to classified employees as follows:

"Upon the resignation, dismissal or death of any employee from the state service, he, or his estate, shall be entitled to a sum equal to the number of days of annual leave remaining to his service."

Accordingly if you were hired by the director of forestry April 1, 1950 in accordance with section 4 of chapter 233 of the Revised Laws as amended by section 2 of chapter 184 of the Laws of 1945 you are entitled to the total of 3-3/4 days of annual leave compensation at your then rate which you advise me was \$2880.

That is also true if your employment and position were established by the Governor and Council under Revised Laws, chapter 145, section 4, as amended by section 2 of chapter 207 of the Laws of 1945 or under the authority of chapter 326 of the Laws of 1949.

I am not able to find out whether or not the last cited statute was the basis for your employment April 1, 1950 although I am informed that your position was established by the Governor and Council at a salary not set for any existing classification of your duties. If chapter 326 of the Laws of 1949 was

COPY

OFFICE OF ATTORNEY GENERAL

- 2 -

the authority for your employment by action of the Governor and Council you were declassified and eligible to the aforesaid annual leave compensation.

Very truly yours,

George F. Nelson
Assistant Attorney General

GFN:1

cc - Roy Y. Lang, Director of Personnel
Arthur E. Bean, Comptroller